

March 24, 1975

SENATOR DICKINSON: What provision is there in this to prevent this person from taking this test and getting a new license? Does this automatically go to the Department of Motor Vehicles so they can cross-reference and find out that this person, in fact, should not have been given a test because he or she is not qualified to have a license, even though they can pass the two tests involved?

SENATOR KELLY: This would be the red flag that would be on that driver. When his license would come back in for issuance the medical profession has found him to be an unsafe driver . . .

SENATOR DICKINSON: Are not now known epileptics prevented from having a valid license?

SENATOR KELLY: They are not.

SENATOR DICKINSON: I know of one personally that does not have a license because of this problem. I don't know under what circumstances this license has been revoked, but it has been.

SENATOR KELLY: It could be on two basis'. He could do it voluntarily, or his doctor could report to the medical committee that his license should be revoked. It could be on that basis. This is in process now.

SENATOR DICKINSON: Thank you.

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: Question of Senator Kelly, if he would.

SENATOR KELLY: Yes sir.

SENATOR CAVANAUGH: Senator Kelly, in order that I might appropriately respond, would you specify the misrepresentation that I perpetrated upon the body.

SENATOR KELLY: I didn't know what you mean. Say it again.

SENATOR CAVANAUGH: In your opening remarks you indicated that I had perpetrated a misrepresentation on the body the other day when the bill was killed. I would like to respond to that, but I don't know what the misrepresentation was.

SENATOR KELLY: The misrepresentation, in my opinion, would be that we voted to kill this bill on the basis that it will be violating the rights of privacy of the patients and cause the doctors of Nebraska to be snoops on their patients.

SENATOR CAVANAUGH: OK. That . . . thank you Senator Kelly. That's true. It was true the other day. It's not a misrepresentation. It's what the bill would allow. Currently, the law of the State of Nebraska for licensed physicians are canons set out in the statutes, say the communications between the physician and his patient should be privileged. It's an obligation the physician has to maintain in order to maintain his license. This bill provides an exception to that, in order that the physician can report, in secret. There's no